



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Racing Commission
Virginia Administrative Code (VAC) citation	11 VAC 10-70-20, 11 VAC 10-70-30, 11 VAC 10-70-40, 11 VAC 10-70-50, 11 VAC 10-70-60, 11 VAC 10-70-70, 11 VAC 10-70-80, 11 VAC 10-70-90, 11 VAC 10-70-170, 11 VAC 10-90-10, 11 VAC 10-90-30, and 11 VAC 10-90-50
Regulation title	Stewards and Appeals to the Commission
Action title	To amend chapters 70 and 90
Final agency action date	July 19, 2006
Document preparation date	August 10, 2006

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The amendments to chapters 70 and 90 clarify the authority of the stewards appointed by the Virginia Racing Commission to enforce and interpret the Commission's regulations. The definition of "participant" has been added which provides that certain individuals associated with a horse that is entered to run in Virginia shall be considered as participants and come under the jurisdiction of the Commission. Additionally, the amendments provide the authority of the Commission to take disciplinary actions through stewards or at a meeting at which a quorum is present and clarify that such disciplinary actions must be determined by a preponderance of the evidence. These amendments are being made in order to conform to the changes that were made to the Code of Virginia on July 1, 2005 as provided for in SB 1270 Virginia Racing Commission.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On July 19, 2006, the Virginia Racing Commission adopted the final amendments to 11 VAC 10-70-20, 11 VAC 10-70-30, 11 VAC 10-70-40, 11 VAC 10-70-50, 11 VAC 10-70-60, 11 VAC 10-70-70, 11 VAC 10-70-80, 11 VAC 10-70-90, 11 VAC 10-70-170, 11 VAC 10-90-10, 11 VAC 10-90-30, and 11 VAC 10-90-50 (Stewards and Appeals to the Commission) at its regular monthly meeting.

Please note that these amendments were adopted as final specifically for and limited to the harness meet which begins on September 4, 2006 and ends on November 3, 2006 and should remain in effect until the last day of the harness meet, at which time the permanent regulations will become effective through the fast-track process on November 4, 2006.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

These amendments will have no impact on the family or family stability.